

## § 15.1

- 15.72 Production or disclosure prohibited unless approved by the Secretary.  
15.73 Procedure in the event of a demand for production or disclosure.  
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### Subpart I—Testimony of Employees of the Department in Legal Proceedings

- 15.81 Purpose.  
15.82 Testimony in proceedings in which the United States is a party.  
15.83 Legal proceedings among private litigants; general rule.  
15.84 Legal proceedings among private litigants; subpoenas.  
15.85 Legal proceedings among private litigants; expert or opinion testimony.

### Subpart J—Processing Request for Declassification and Release of Classified Material

- 15.91 Authority for release or denial of classified material.

AUTHORITY: 5 U.S.C. 552; 42 U.S.C. 3535(d).

SOURCE: 40 FR 48123, Oct. 14, 1975, unless otherwise noted.

## Subpart A—Purpose and Policy

### § 15.1 Definitions.

As used in this part.

EDITORIAL NOTE: At 61 FR 5203, Feb. 9, 1996, in § 15.1, the following introductory text was added; however, introductory text already exists.

The terms *Department*, *Secretary*, and *Organizational unit* are defined in 24 CFR part 5.

*Act* means section 552 of title 5 U.S.C., as amended by Pub. L. 90-23, 81 Stat. 54, June 5, 1967, and Pub. L. 93-502, 88 Stat. 1561, November 21, 1974.

*Person* means *person* as defined in 5 U.S.C. 551(2) to include corporations and organizations as well as individuals.

*Information center* means library, reading room, desk, or other facility, or any combination of places established and maintained by the Department, where the public may request and obtain information and records concerning the Department's operations and business.

*Legal proceeding* includes any proceeding before a court of law or other authority, i.e., administrative board or

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commission, hearing officer, arbitrator or other body conducting a quasi-judicial or legislative proceeding.

*Legal proceeding in which the United States is a party* means any legal proceeding including as a named party the United States, the Department of Housing and Urban Development, or any other Federal executive or administrative agency or department, or any official thereof in his official capacity.

*Legal proceeding among private litigants* means any legal proceeding in which the United States is not a party.

[40 FR 48123, Oct. 14, 1975, as amended at 52 FR 12160, Apr. 15, 1987; 60 FR 11903, Mar. 3, 1995; 61 FR 5203, Feb. 9, 1996]

### § 15.2 Purpose and applicability.

(a) This part contains the regulations of the Department implementing 5 U.S.C. 552 and prescribing the Department's policies and procedures with respect to testimony of its employees as witnesses in legal proceedings. It informs the public about where and how the Department's records and information may be obtained from its organizational units as defined in § 15.1(d), and about the Department's policy concerning allowing its employees to testify in legal proceedings.

(b) All subparts of part 15, other than subpart I, apply to all organizational units, except that their applicability to the Office of Inspector General is subject to the provisions of parts 2002 and 2004 of this title, and their applicability to the Office of Interstate Land Sales Registration is subject to the provisions of § 1700.30 of this title. Subpart I applies to all organizational units other than the Office of Inspector General.

[52 FR 12160, Apr. 15, 1987]

### § 15.3 Statement of policy.

The Department's policy is one of full and responsible disclosure of its identifiable records and information consistent with such competing public interests concerning the national security, personal privacy, and obligations of confidentiality as are recognized by 5 U.S.C. 552.